



AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia

Antrell Desharron Lewis
Petitioner

v.

Case No. 1:25-cv-00205
(Supplied by Clerk of Court)

Queen
Respondent

(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Antrell Desharron Lewis
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: FCI McDowell
(b) Address: _____
- (c) Your identification number: 16596029
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☒ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: Northern District of Iowa
Cedar Rapids, Iowa
(b) Docket number of criminal case: 16-CR-01045
(c) Date of sentencing: SEPT. 14, 2017
☐ Being held on an immigration charge
☐ Other (explain): _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time/credits)

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- ☐ Pretrial detention
☐ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☒ Disciplinary proceedings
☐ Other (explain): _____

6. Provide more information about the decision or action you are challenging:

- (a) Name and location of the agency or court: FCI Thompson located in Thomson, Illinois
 (b) Docket number, case number, or opinion number: FR # 3893288
 (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
108 --- possession of hazardous tool. I was found guilty and received loss of Tablet for 30 days and 108 (FREQ) - Dis GCT 27 Days, 108 (FREQ 1) - FF NVGCT 27 Days
 (d) Date of the decision or action: March 7, 2024

Your Earlier Challenges of the Decision or Action7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☒ Yes ☐ No

(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: North Central Region office located in Kansas City, Kansas
 (2) Date of filing: March 2024
 (3) Docket number, case number, or opinion number: FR # 3893288
 (4) Result: Denied for unlegible and multiple issues on one form.
 (5) Date of result: March/April 2024
 (6) Issues raised: Officer Andreini, who wrote the shot, failed to follow proper procedure when he only wrote me a shot after finding phone in cell and my cell mate admitted to officer Andreini phone was his. Second issue is DHO secretary failed to follow proper procedure by not bringing my witness, my cell mate at that time to DHO hearing. She stated she reached out for comment and got none. Only time you should reach out for comment

(b) If you answered "No," explain why you did not appeal: _____

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☒ Yes ☐ No

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(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: Central office in Washington D.C. referred by my new Counselor Horton.
- (2) Date of filing: October 2024
- (3) Docket number, case number, or opinion number: #IR 3893288
- (4) Result: Denied for time barred
- (5) Date of result: November 2024
- (6) Issues raised: Same as originals stated above

(b) If you answered "No," explain why you did not file a second appeal:

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☒ Yes ☐ No

(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: (DSCC) Grand Prairie office
- (2) Date of filing: November 2024
- (3) Docket number, case number, or opinion number: IR # 3893288
- (4) Result: Never received a response
- (5) Date of result: N/A
- (6) Issues raised: I wasn't time barred because during my original filing I was in SHU. When it was denied and I was told to re-do it by the Region office. My Counselor went on a vacation for several weeks. Upon returning he didn't get a chance to bring me another appeal form or another memo, sorry or "A" memo. I was shipped to FCI McDowell and didn't get my property until OCT. 2024. I arrived here June 4, 2024. Once I got my property I

(b) If you answered "No," explain why you did not file a third appeal:

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes ☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes ☐ No

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If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: _____

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☐ Yes☒ No

If "Yes," provide:

(a) Date you were taken into immigration custody: _____

(b) Date of the removal or reinstatement order: _____

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes☐ No

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If "Yes," provide:

(1) Date of filing: _____

(2) Case number: _____

(3) Result: _____

(4) Date of result: _____

(5) Issues raised: _____

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Date of filing: _____

(3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes

☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE:

I'm not time barred because my Counselor J. Venard who works at FCI Thomson had failed to accommodate me in helping to file my appeal. He went on vacation and upon returning he never gave me another appeal form or wrote the memo needed.

(a) Supporting facts (Be brief. Do not cite cases or law.):

I went to SHU Feb. 10 2024, DHO hearing was on Mar. 7th 2024. Appeal was filed around Mar. 18, 2024 (see all records on file). J. Venard went on vacation from late March to mid to late April. I seen him maybe twice between his return and my departure from FCI Thomson in late May. I received no assistance.

(b) Did you present Ground One in all appeals that were available to you?

☒ Yes

☐ No

GROUND TWO:

Officer Andreini failed to follow proper procedure by not writing my cell mate at the time a shot after he found phone in cell and my cell mate admitted to phone being his to Officer Andreini.

(a) Supporting facts (Be brief. Do not cite cases or law.):

See shot wrote on Feb. 10, 2024 also DHO report from Mar. 7, 2024 where photo was taken of phone that was found "during a search", second to last paragraph in section V. (5).

(b) Did you present Ground Two in all appeals that were available to you?

☒ Yes

☐ No

GROUND THREE:

DHO secretary officer Childers failed to follow proper procedure when she didn't bring my witness to the DHO hearing. My witness was my then cellmate Trevon Purham-Holmes. She stated witness was contacted for comment he had no comment.

(a) Supporting facts (Be brief. Do not cite cases or law.):

See DHO report from Mar. 7, 2024. In my appeals I referenced the BOP rules where witness should only be asked for comment if they're unavailable for hearing. Witness was available. The prison was running on normal operation and witness was of sound mind and hearing. See prison records for availabilities.

(b) Did you present Ground Three in all appeals that were available to you?

☒ Yes

☐ No

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GROUND FOUR:

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do:

I would like the court to overturn this conviction and return my good conduct days please and thank you.

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

Tuesday March 18, 2025

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date:

3-18-25

Certrell Lewis

Signature of Petitioner

Signature of Attorney or other authorized person, if any